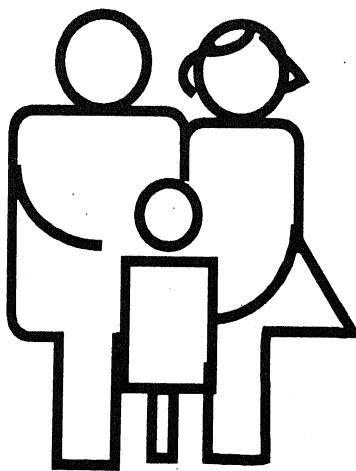


Federal Communications Commission
Consumer Protection Branch
Common Carrier Bureau
Mail Stop 1600A2
Washington, DC 20554
(202) 632-7553

*This is in response to your contact with the
Federal Communications Commission*



Thank you for your interest

complaint 6/96

Consumer • News

Federal Communications Commission • 1919 M Street • Washington, D.C. 20554

Produced By : The Common Carrier Bureau • Enforcement Division

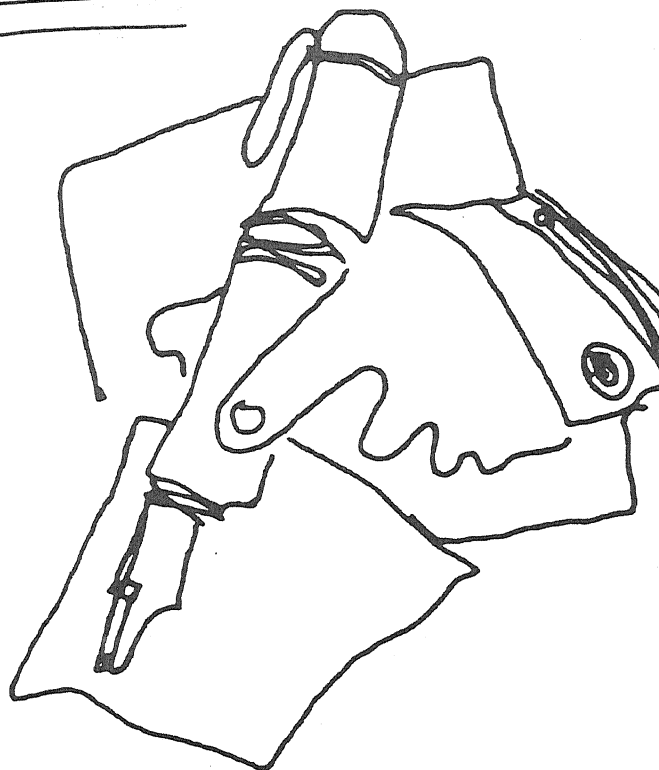
June 1996

HOW TO FILE A COMPLAINT WITH THE FCC

Regarding Telephone or other Telecommunication Common Carrier Services

Questions about how to file complaints regarding cellular telephone, paging, commercial mobile radio and other wireless common carrier services should be directed to:

*Federal Communications Commission
Wireless Telecommunications Bureau
Washington, DC 20554*



What should I do when I have a complaint?

If you have a problem with a telephone company or other company providing these services, you should first try to resolve your complaint with the company providing the service or the company billing for the service. If you are unsuccessful in resolving the problem, then you should file a complaint with the proper regulatory agency.

Do I need to get a form from the FCC first?

There is no special form to fill out to file an informal complaint with the FCC.

Do all complaints about these ser- vices come to the FCC?

Complaints about rates or services provided within a state (**intra-state**) should be addressed to your state public utility commission. You can contact

either your local or state consumer office to obtain the phone number and address for your state public utility commission. This information also may be listed in the government section of your telephone directory. Complaints regarding services provided from one state to another (**interstate**) and foreign communications should be addressed to the FCC.

Consumers may file either an **informal complaint** or a **formal complaint**.

The FCC established the informal complaint process to make it easier for consumers to file complaints about telecommunications common carrier services and for carriers to act promptly to satisfy complaints. Informal complaints are no less important than formal complaints.

How do I file an informal complaint?

You simply send a letter in your own words describing the problem to:

Federal Communications
Commission
Common Carrier Bureau
Consumer Complaints
Mail Stop Code 1600A2
Washington, DC 20554

Is there a fee?

No. There is no charge for filing an informal complaint.

Does it cost any money to file a formal complaint?

Yes. A filing fee of \$140 applies to each formal complaint filed with the FCC.

Is it a requirement to file an informal complaint first?

No. You may file a formal complaint with the FCC even though you did not first file an informal complaint.

Filing an Informal Complaint with the FCC

If you provide the following, we will be able to process your complaint much faster and provide the help you require sooner.

■ It will expedite processing if your complaint is typed or legibly printed.

■ If you are requesting a refund or adjustment for calls charged to your account, you should include a copy of the telephone bill or bills listing the disputed charges. Please circle the charges that you are disputing on the copy of the bill you send to us.

■ If your complaint concerns calls placed from a telephone location, such as a hotel, motel, convenience store, airport, etc., you should include:

- The name of the Operator Service Provider providing long distance service for that telephone.
- The name, address and telephone number for the hotel, motel, convenience store or other entity where the telephone is located.
- It also would be helpful if you could provide the number on the telephone, and the telephone vendor (if identified on the telephone).

FCC Procedures for Processing an Informal Complaint

Review of the Complaint

All complaint letters are reviewed to make sure that the issues are within the FCC's jurisdiction. Complaints are sent to other federal or state agencies if the issues raised are more appropriately handled by those agencies. If we send a complaint to another agency, the complainant will receive a copy of the referral letter.

Complaint "Served"

If the complaint issues are within the FCC's jurisdiction, the Branch sends or "serves" the complaint, under a cover document called a Notice of Informal Complaint, on the company providing the service.

The FCC "serves" the complaint on all companies identified in the complaint that are under the FCC's jurisdiction. **The company is directed to satisfy or answer a complaint based on a thorough and complete review of all relevant records and other information and to report the results, in writing, to the FCC within a prescribed time period, usually 30 calendar days.**

Response sent to person filing the complaint and the FCC

Under the FCC's rules, the person filing the complaint should receive a copy of the company's response at the same time that the company files the response with the FCC. The FCC reviews the complaint and the company's response to ensure that the company fully addressed all of the issues and that the company's actions are consistent with relevant statutory provisions, FCC rules and decisions, and industry practices. After this review, the Branch decides what additional action, if any, is required.

FCC reviews the company's response and notifies the complaint of the results

If it appears from the complaint and from the company's response that the company may not be in compliance with the law, the FCC will take appropriate action. After the review process is completed, the Branch will send a letter to the complainant advising them that the Branch has completed its review of the complaint.

If I am disputing charges, should I send an escrow check to the FCC?

No. The FCC does not accept escrow checks for disputed charges.

However, several state public utility commissions have escrow procedures for disputed charges. If your complaint concerns disputed charges for calls placed within your state, you should contact your state public utility commission to determine whether or not you should send an escrow check to that commission for disputed charges.

What can I do if I am not satisfied with the carrier's response to my complaint?

The Commission's rules provide that, the complainant may file a formal complaint, if he or she is not satisfied by a carrier's response to an informal complaint and the Commission's disposition of that complaint.

Filing a Formal Complaint

Are formal complaints more important than "informal" complaints?

No. "Informal" and "formal" are simply terms chosen by the FCC to distinguish the procedural differences between two different complaint processes. The terms are not intended to infer that "formal" complaints are more important than "informal" complaints.

Are there specific procedures to follow to file a formal complaint with the FCC?

Yes. Formal complaints must be filed in the manner prescribed in the Commission's rules and must show facts which establish that a violation of the Communications Act, or a Commission rule/policy has occurred.

The facts stated in a formal complaint must be supported by relevant documentation or affidavits of sufficient specificity to develop a record which will permit the Commission to determine the facts of the case and to decide what, if any, remedies may be appropriate. Because allegations must be developed in the complaint which are sufficient to comply with the FCC's rules and case law, formal complaints generally require an attorney's assistance.

Does it cost any money to file a formal complaint?

Yes. A filing fee of \$140 applies to each formal complaint filed with the FCC.

Is it a requirement to file an informal complaint first?

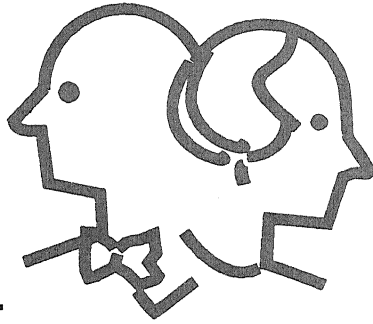
No. You may file a formal complaint with the FCC even though you did not first file an informal complaint.

Other inquiries about various aspects of interstate or international common carrier services should be addressed to the Common Carrier Bureau, Consumer Protection Branch.

Questions about how to file complaints regarding cellular telephone, paging, commercial mobile radio and other wireless common carrier services should be directed to:

**Federal Communications Commission
Wireless Telecommunications Bureau
Washington, DC 20554**

It's Your Choice



Informal Complaint

- No special forms to fill out.
- No filing fee.
- No assistance from an attorney is required.
- Issues must be within the FCC's jurisdiction.

Formal Complaint

- You must file in a specific manner and format.
- There is a filing fee.
- 1 of an attorney.
- Facts must be supported by relevant documentation.

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